

Stage II Vapor Recovery Program Instructions for Completing Form C

Stage II Form C Annual In-Use Compliance Certification

These instructions have been designed to assist those who own and/or manage Stage II systems in completing forms required by the Department of Environmental Protection (MassDEP). Please refer to the full text of the Stage II Program regulations (310 CMR 7.00, Definitions, and 310 CMR 7.24(6), Dispensing of Motor Vehicle Fuel), which govern this Program. These instructions do not create any legal rights, and do not substitute for the Program regulations.

When Is a Form C Used?

All Stage II System owners, lessees, operators or controllers (owner/operators) must annually certify to having correctly operated and maintained their Stage II system in accordance with program requirements, and that applicable in-use compliance tests have been performed and passed, as required.

When is a Form C Submitted to DEP?

For Stage II facilities that have previously submitted a Form C to MassDEP as required, the deadline for submitting a subsequent year's annual in-use certification is the same date as the prior year. For example, if, in Year 1, the facility's certification submittal date is July 1st (and the certification is submitted on time and fully completed) the facility's certification submittal date will be July 1st again in Year 2.

Please Note: The only time a facility's certification submittal due date will change is if a certification is postmarked to the Department more than 30 days prior to the facility's currently applicable certification submittal due date. In such circumstances, the facility's certification submittal date the following year will be one year from the postmarked date of the current year's submittal.

Certifications submitted after a given year's certification submittal due date will not result in the change of a facility's annual certification submittal due date the following year.

What Time Period Does Form C Apply To? Form C is an annual submittal and applies to the time period between the date the last Form C (or Form A, if the system has been newly installed or substantially modified) was submitted to MassDEP and the date the current Form C is submitted to MassDEP.

Form C Must Be Signed By a Stage II System Responsible Official

Form C must be signed by the facility's Stage II System Responsible Official(s) as identified on the facility's most recently submitted Form A, C or E, as applicable.

What Must the Stage II System Responsible Official Attest To?

By signing the Form C Stage II System Responsible Official Compliance Certification Statement, the Stage II System Responsible Official attests that, for each aspect of Stage II program compliance he or she is responsible for:

- he or she has personally examined, and is familiar with, the information contained in the form and all its attachments; or
based on his or her inquiry of the person(s) responsible for providing the information, the information to which he or she is attesting is true, accurate and complete;
- systems to maintain compliance are in place at the facility;
- he or she is authorized to attest on behalf of the facility; and
- he or she is aware that there are significant penalties for submitting false information, including possible fines and imprisonment.

Please Note: For purposes of this certification statement, “systems to maintain compliance” means procedures that the Stage II facility owner and/or operator has established to ensure that persons performing weekly visual inspections are properly trained, weekly visual inspections and required tests are conducted, that broken or defective components are repaired, replaced or isolated and that required records are maintained.

How Should Form C be Submitted to DEP?

Please mail the Stage II Form C to:

MassDEP
Bureau of Air and Waste
Stage II Program
P.O. Box 120-165
Boston, MA 02112-0165

Directions for Completing Form C

Section A. Stage II System Documentation

Please fully answer all Stage II System Documentation questions A.1-7.

Section B. In-Use Compliance Testing and Submittal Requirements

1. In-Use compliance tests required to be performed and passed.
Please identify all applicable in-use compliance test required to be performed and passed.

If you do not know the applicable tests required to be performed and passed, please contact your Stage II Compliance Testing Company or the MassDEP Stage II Hotline (617- 556-1035).

2. In-Use compliance certification due date.

If you do not know your facility’s certification submittal date, please contact the MassDEP Stage II Hotline (617- 556-1035).

Please Note: For this Form C to be submitted in compliance with applicable requirements, the envelope used to mail the Form to MassDEP must be postmark-dated on or before the facility's In-Use Compliance Submittal Date AND all compliance tests must be performed and passed within the 30 days prior to the postmarked date on the envelope.

Section C. Compliance Testing Company Certification

Section C. must be completed by the Stage II compliance testing company only, and includes a certification statement that must be signed to by a Compliance Testing Company Responsible Official attesting to the contents of Section C. being true, accurate, and complete.

The Compliance Testing Company Responsible Official is responsible for attesting only to the truth, accuracy and completeness of Section C.

Please Note: The Stage II System Responsible Official(s) must ensure that all elements of this Section are fully completed before submitting the Form C Annual In-Use Compliance Certification to MassDEP.

Section D. Stage II System Responsible Official Compliance Certification

This Section must be fully completed by the Stage II System Responsible Official(s) only, as applicable and includes a certification statement that must be signed by the Stage II System Responsible Official(s) attesting to the contents of Section D. being true, accurate, and complete.

Stage II Materials and MassDEP Resources:

- To obtain a copy of your facility's **Stage II CARB Executive Order**, please go to the CARB web page and search for your Stage II system's CARB Executive Order number:

<http://www.arb.ca.gov/vapor/eo-PhaseII.htm>

- To obtain a copy of the MassDEP **Stage II Vapor Recovery System Weekly Inspection Guidance**, please go to MassDEP's Stage II Web Page:

<http://www.mass.gov/eea/agencies/massdep/air/programs/stage-ii-vapor-recovery.html>

Blank forms and instructions, program regulations, and additional Stage II materials are also available at MassDEP's Stage II web page:

If you have questions or need more information, please call MassDEP's Stage II Hotline (617-556-1035).